இணைப்பு

(457-ம் பக்கத்திலுள்ள அடிக்குறிப்பைக் காண்க.)

English version of the Resolutions.—

'WHEREAS there has been widespread public criticism against the system of hereditary appointment of Archakas, Pujaries and other Ulthurai servants in Hindu Religious institutions on the ground that the system of appointment is on the basis of caste sect or group;

AND WHEREAS the Committee on Untouchability, Economic and Educational Development of the Scheduled Castes has in its report suggested that hereditary priesthood in Hindu society should be abolished and that the system should be replaced by an ecclesiastical organisation of men possessing requisite educational qualifications who might be trained in recognised institutions in priesthood and that the line should be open to all candidates irrespective of caste, creed or race;

AND WHEREAS under the existing provisions of the Constitution as interpreted by the Supreme Court, the appointment of Archakas and Pujaries has to be made from a specified sect or group in accordance with the directions of Agammas governing the temples and that failure to do so would interfere with the religious practice;

AND WHEREAS this House is of opinion that as a measure of social reform, appointment of Archakas, Pujaries or other Ulthurai servants in Hindu religious institutions should be made from among qualified persons professing Hindu religion irrespective of caste, sect or gruop of such persons;

AND WHEREAS, to enable the State Legislature to enact a law for the above purpose, the Constitution has to be suitably amended;

THIS HOUSE resolves to request the Central Government to bring forward the necessary legislation to amend the Constitution suitably on the lines indicated in the draft Bill enclosed".

ANNEXURE TO THE RESOLUTION.

A Bill further to amend the Constitution of India.

Be it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows :—

1. *Short title.*—This Act may be called the Constitution Amendment) Act, 1974.

2. *Insertion of new article 26-A.*—After article 26 of the Constitution, the following article shall be inserted, namely :—

" 26-A. *Archakas and other office holders and servants in Hindu religious institutions to be appointed irrespective of caste.*—(1) Notwithstanding anything contained in article 13, the State Legislature may, by law, provide that vacancies, whether permanent or temporary, among the office holders or servants (including archakas and pujaries) of any Hindu religious institution may be filled by a person professing Hindu religion and possesing such qualifications as may be specified in such law, irrespective of the caste, sect or group of such person.

(2) If anything contained in any agamas or sastras or any text, rule or interruptation of Hindu Law or any custom or usage or part of that law is repugnant to any of the matters for which provision is made in the law referred to in clause 1), then the law referred to in clause (1) shall prevail and such agamas or sastras or any text, rule or interpretation, custom or usage or part shall to the extent of repugnancy, be void.

(3) No such law as is referred to in clause (1) shall be deemed to be void on the ground that it is inconsistent with or takes away or abridges any of the rights conferred by articles 25 and 26, notwithstanding anything contained in articles 14, 15, 25 and 26 ".